

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**
Criminal No. 22-100 (SRN/ECW)

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER OF DETENTION

JULYEN ALONZO MARTIN,

Defendant.

This matter was before the Court on August 16, 2022, for a hearing on the motion of the United States for detention. Defendant Julyen Alonzo Martin was present and represented by Kevin W. DeVore. The United States was represented by Special Assistant United States Attorney Hillary A. Taylor. The United States moved for detention at Mr. Martin's initial appearance on August 11, 2022, where he was advised of his constitutional rights and afforded opportunity to consult with his appointed counsel. (Doc. No. 10.) *See* Fed. R. Crim. P. 5(d). The United States also filed a written motion for detention. (Doc. No. 9.) Mr. Martin opposed the motion.

Mr. Martin is charged by Indictment with cyberstalking victims T.A. and J.L. (Counts 1-2), in violation of 18 U.S.C. § 2261A(2)(A)–(B), interstate transmission of threats to injure the person of another (Counts 3-5), in violation of 18 U.S.C. § 875(c), and impersonation of an officer of the United States (Count 6), in violation of 18 U.S.C. § 912.

At the hearing, the Court had a report from United States Probation and Pretrial

Services recommending that the Defendant be detained pending trial both because the Defendant presented a risk of flight, and because the Defendant posed a danger to the community. After consideration of that report, the evidence introduced at the hearing, the arguments of counsel, and the entire record of this case, the Court finds by clear and convincing evidence, that no condition or combination of conditions will reasonably assure the safety of any person or the community if the Defendant is released pending trial. The Court also finds by a preponderance of the evidence that no condition or combination of conditions will reasonably assure the Defendant's appearance at future court appearances if he is released pending trial. The Court therefore grants the government's motion for detention.

FINDINGS OF FACT

1. The Government presented the testimony of FBI Task Force Officer ("TFO") William Falknor regarding the FBI's investigation into Mr. Martin's alleged conduct, background regarding the victims, and Mr. Martin's attempts to contact victims after his arrest and temporary detention pending transportation to the District, both through jail calls through letters.

2. The Court received exhibits 1-24 into evidence for purposes of the detention hearing only. The Government also moved for the sealing of Government's Exhibits 21-24 due to the victims' names and sensitive information within those exhibits, and the Court granted that motion.

CONCLUSIONS OF LAW

In determining if release conditions exist that will reasonably assure the appearance of a defendant at trial and the safety of the community, the Court considers the following: (1) the nature and circumstances of the crime; (2) the weight of the evidence against the defendant; (3) the history and characteristics of the defendant, including mental condition, family ties, employment, community ties, and past conduct; and (4) the seriousness of the danger to the community or to an individual. *See* [18 U.S.C. § 3142\(g\)](#).

The Court has considered the evidence relating to these factors, including, the nature of the charges and the Defendant's alleged conduct after his arrest in attempting to communicate directly or indirectly with a victim through letters and requests to family in jail calls. The Court also considered the extensive evidence of Mr. Martin's threatening behavior. In addition, the Court considered Mr. Martin's use of aliases as a part of his alleged conduct. The evidence supported each of the factors set forth in [18 U.S.C. § 3142\(g\)](#). The Court finds that the seriousness of the danger to the community or to individuals, including the victims, is of significant concern. After considering the factors outlined in 18 U.S.C. § 3142(g), the Court finds that no condition or combination of conditions will reasonably assure Mr. Martin's appearance as required at future court proceedings or the safety of the community. Thus, detention pending trial is appropriate in this matter.

For the foregoing reasons, **IT IS HEREBY ORDERED** that:

1. The motion of the United States for the detention of Defendant Julyen Alonzo Martin is **GRANTED**;

2. Mr. Martin is committed to the custody of the Attorney General for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

3. Mr. Martin shall be afforded reasonable opportunity to consult privately with his counsel; and

4. Upon Order of the Court or request by the United States Attorney, the person in charge of the correctional facility in which Mr. Martin is confined shall deliver him to the United States Marshal for the purpose of appearance in connection with further court proceedings.

Date: August 22, 2022

s/ Becky R. Thorson

BECKY R. THORSON

U.S. Magistrate Judge